

ASSIGNED
58874

Serial No. _____

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 27 1993

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 27 1993 under 58873

The applicant A. Nuti, Farmer

P.O. Box 47 of Smith
Street and No. or P.O. Box No. City or Town

NV 89430 hereby make... application for permission to change the
State and Zip Code No.

Place of Use and Point of Diversion

Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit #12215 Cert #3919
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 3.2 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T.11N. R.24E.,
Describe as being within a 40-acre subdivision of public survey and by course and
MDB&M, or at a point from which the NW corner of Sec. 5, T.10N., R.24E., bears
distance to a section corner. If on unsurveyed land, it should be stated.
S. 88° 58' 00" W., a distance of 3890 feet

6. The existing permitted point of diversion is located within Within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T.11N.,
If point of diversion is not changed, do not answer.
R.24E., M.D.B.&M., or at a point from which the NW corner of Sec. 5, T.10N.,
R.24E., bears S 88°59'35" W, a distance of 3966.2 feet.

7. Proposed place of use See Exhibit A
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use See Exhibit B
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from April 1 to September 30 of each year.
Month and Day Month and Day

10. Use was permitted from April 1 to September 30 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) distribution system
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$10,000

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water will be commingled with other ground water permits to irrigate a total of 645.90 acres, of which 457.54 acres is supplemental to surface water.

Change to Point of Diversion corrects the bearing and distance on the existing permit.

By..... s/Susan Elliott

Susan Elliott

P.O. Box 130

Smith, NV 89430

Compared bc/bc jr/bk

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 12215, Certificate 3919 is issued subject to the terms and conditions imposed in said Permit 12215, Certificate 3919 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to

exceed..... 3.20 cubic feet per second, but not to exceed 1,161.24 acre-feet seasonally, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources

Work must be prosecuted with reasonable diligence and be completed on or before..... March 10, 1999

Proof of completion of work shall be filed before..... April 10, 1999

Application of water to beneficial use shall be made on or before..... March 10, 2002

Proof of the application of water to beneficial use shall be filed on or before..... April 10, 2002

Map in support of proof of beneficial use shall be filed on or before..... April 10, 2002

Completion of work filed..... APR 30 1999

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 10th day of March

A.D. 1999

[Signature]
State Engineer

AGENT
WITHDRAWN BY AUG 05 2004

*PORTION

[Signature]
STATE ENGINEER

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 58873, 58874, 58875, 58876, 58878 and any waters of the Walker River Decree appurtenant to these lands and any storage water appurtenant to these lands shall not exceed 2,310.0 acre-feet annually for the irrigation of 577.5 acres within the described place of use.



Exhibit A

Proposed Place of Use.

| | | | | |
|------------------|------------------|--------|-------|-------|
| SE $\frac{1}{4}$ | SE $\frac{1}{4}$ | Sec 29 | T 11N | R 24E |
| SW $\frac{1}{4}$ | SW $\frac{1}{4}$ | 28 | 11N | 24E |
| S $\frac{1}{2}$ | NW $\frac{1}{4}$ | 32 | 11N | 24E |
| | NE $\frac{1}{4}$ | 32 | 11N | 24E |
| | SW $\frac{1}{4}$ | 32 | 11N | 24E |
| | SE $\frac{1}{4}$ | 32 | 11N | 24E |
| NW $\frac{1}{4}$ | NW $\frac{1}{4}$ | 33 | 11N | 24E |
| | SW $\frac{1}{4}$ | 33 | 11N | 24E |
| NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | 4 | 10N | 24E |
| NW $\frac{1}{4}$ | NE $\frac{1}{4}$ | 4 | 10N | 24E |

EXHIBIT B

| | | | | | | | | | |
|-------|-------|--------|------------------|------------------|------------------|-----------|-----------|----------|---|
| 38.0 | acres | in the | SW $\frac{1}{4}$ | NW $\frac{1}{4}$ | of Sec. 32, | T. 11 N., | R. 24 E., | N.D.B.M. | |
| 40.0 | " | " | " | SE $\frac{1}{4}$ | NW $\frac{1}{4}$ | " | " | " | " |
| 36.5 | " | " | " | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | " | " | " | " |
| 38.0 | " | " | " | NE $\frac{1}{4}$ | SW $\frac{1}{4}$ | " | " | " | " |
| 38.5 | " | " | " | SW $\frac{1}{4}$ | SW $\frac{1}{4}$ | " | " | " | " |
| 39.5 | " | " | " | SE $\frac{1}{4}$ | SW $\frac{1}{4}$ | " | " | " | " |
| 40.0 | " | " | " | NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | " | " | " | " |
| 40.0 | " | " | " | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | " | " | " | " |
| 319.5 | acres | total. | | | | | | | |

*NOTE: Not to exceed a yearly duty of 1242 acre-feet from all sources

